



Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022
+1 212 909 6000

January 6, 2023

BY ECF

Hon. Sarah Netburn, United States Magistrate Judge
United States District Court for the Southern District of New York
40 Foley Square, Room 219
New York, New York 10007

Nike, Inc. v. StockX LLC, No. 22 CV 983 (VC) (SN)

Dear Judge Netburn:

We represent Defendant StockX LLC ("StockX") in the above-captioned matter.

Pursuant to Your Honor's Individual Rule III(F), StockX respectfully submits this letter regarding the sealed treatment of StockX's letter (the "Letter") in response to the Court's December 15, 2022, Order (ECF No. 85), which is being filed under seal and on the public docket in redacted form today, and which quotes from, and attaches as exhibits, deposition transcripts which have been designated HIGHLY CONFIDENTIAL – OUTSIDE COUNSEL'S EYES ONLY.

StockX's Letter provides an overview of pending discovery disputes ripe for Court resolution. In support of StockX's arguments as to why Nike, Inc. ("Nike," and together with StockX, the "Parties") should be compelled to re-designate a 30(b)(6) witness prepared to speak to certain topics; to produce documents in response to StockX's RFPs that were referenced during recent depositions of Nike witnesses; and to adequately search document repositories referenced in recent depositions, StockX's Letter references material that Nike has designated confidential pursuant to the Parties' July 14, 2022, Stipulated Protective Order (ECF No. 52). StockX is accordingly filing exhibits and portions of its Letter under seal pursuant to Paragraph 14 of the Protective Order, to permit Nike the opportunity to propose, and the Court to approve, appropriate sealed treatment for material in the Letter that is covered by Nike's claim of confidentiality.

Respectfully submitted,

/s/ Megan K. Bannigan

Megan K. Bannigan

cc All counsel of record (via ECF)